

### **REMARKS**

The Applicants are submitting this amendment under 37 C.F.R. §1.312 after receiving a notice of allowance and before paying the issue fee in the subject case. This amendment only cancels claims, without prejudice, that were allowed in the Notice Of Allowance mailed November 9, 2007. By virtue of this amendment, claims 1-4, 19, and 21-22 are pending. The Applicants expressly reserve the right to pursue prosecution of the cancelled claims in a continuation application.

It is submitted that this amendment, which only cancels claims, without prejudice, and does not change the scope of any claim remaining after this amendment, falls within MPEP §714.16(d)(II).

By this amendment, the Applicants have cancelled system claims 6-9, and 23, and computer readable storage medium claims 11-14, without prejudice. Method claims 1-4, 19, and 21-22 remain pending.

As stated by the MPEP:

After the Notice of Allowance has been mailed, the application is technically no longer under the jurisdiction of the primary examiner. He or she can, however, make examiner's amendments (see MPEP § 1302.04) and has authority to enter amendments submitted after Notice of Allowance of an application which embody merely the correction of formal matters in the specification or drawing, or formal matters in a claim without changing the scope thereof, or the cancellation of claims from the application, without forwarding to the supervisory patent examiner for approval.

MPEP §714.16

This amendment is being submitted to place method claims for the presently claimed invention into one patent. This amendment only cancels claims and leaves previously allowed claims unamended. Therefore, this amendment will not require an additional search or examination and the Applicants submit that it should be entered. See, MPEP §714.16.

### **CONCLUSION**

The Commissioner is hereby authorized to change any fees that may be required or credit any overpayment to Deposit Account 09-0469.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

**If for any reason the Examiner finds the application other than in condition for allowance, or the Examiner believes that there are informalities which can be corrected by Examiner's amendment, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.**

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration, re-examination, and allowance of the claims are requested.

Respectfully submitted,

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